

Application No.: 09/746,010

Docket No.: JCLA4345

REMARKS**Present Status of the Application**

The claims 6, 10-14 and 16-20 are objected to because of some informalities. The Office Action rejected claims 1-5 and 10-20, and allowed claims 6-9. Specifically, the Office Action rejected claims 4, 10-12, 14 and 17 under 35 U.S.C. 112, second paragraph. Moreover, the Office Action rejected claims 1-3, 5, 10 and 13 under 35 U.S.C. 103(a), as being unpatentable over White et al. (U.S. Patent 5,477,541) and applicant's admitted prior art (AAPA) in further view of Burrows (U.S. Patent 5,303,302). The Office Action rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over White and applicant's admitted prior art and Burrows as applied to claim 1, further in view of Smith (U.S. Patent 5,400,326). Applicants have amended the claims to overcome the objections and rejections under 35 U.S.C. 112. Further, claims 1, 10 and 16 are amended for clarity and claims 11-15 and 17-20 are cancelled. Instead, claims 21-26 are added. After entry of the foregoing amendments, claims 1-10, 16 and 21-26 are pending in the present application. Applicants respectfully thank the Examiner for allowing claims 6-9, and respectfully request reconsideration of claims 1-5, 10, 16 and 21-26.

Application No.: 09/746,010

Docket No.: JCLA4345

Discussion of objections

Claims 6, 10 and 16 are amended not only according to the Office Action but also according to the claim formalities. Applicants have made a thorough inspection into those claims as possible as Applicants can do. Should the Examiner find further typos, please kindly show the Applicants for further amendment.

Discussion of Office Action Rejections

[35 U.S.C. 112 Rejection]

The Office Action rejected claims 4 and 10-20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. To overcome the issue, claims 4, 10 and 16 are amended to show necessary antecedent basis and to provide clearly technique features, claims 11-15 and 17-20 are cancelled and claims 21-26 are added instead. All the amendment could be found in line 13, page 10 to line 21, page 12 of the Specification, and no new matter is entered.

After entering the amendment, claims 4, 10, 16 and 21-26 are believed to follow the 35 U.S.C. 112 limitations and therefore the rejections made under 35 U.S.C. 112 are respectfully requested to be withdrawn.

[35 U.S.C. 103 Rejection]

The Office Action rejected claims 1-3, 5, 10 and 13 under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent 5,477,541) and applicant's admitted prior art (AAPA)

Application No.: 09/746,010

Docket No.: JCLA4345

in further view of Burrows (U.S. Patent 5,303,302). Applicants respectfully traverse the rejections for at least the reasons set forth below.

Combination of White, AAPA and Burrows does not disclose, teach or suggest the technique feature of "... in response to the early receiving interrupt signal, reading a part of the packet stored in the data buffer and do not perform a write-back operation after reading the part of the packet stored in the data buffer" as claimed in claim 1, or the likely technique feature of " ...wherein, a write-back operation is only performed when said packet is totally outputted" as claimed in claim 10. More specifically, as stated in the Office Action (page 8, line 13 to page 9, line 2), White did not teach the technique feature of how the ER signal works. Further, Applicants can not find out any related description in Burrows. Moreover, AAPA (page 3, lines 11-13) discloses that "... *After the packet data associated with the first descriptor 110 a have been retrieved, the computer unit performs a write-back operation on the first descriptor 110a ...*". However, descriptor 110a is applied to register information about the received packet 100 together with descriptors 110b and 110c. Accordingly, AAPA discloses to perform write-back operation before the whole packet is outputted.

Accordingly, combination of White, AAPA and Burrows teaches away from the technique feature of claims 1 and 10, and therefore claims 1 and 10 are patentable over White, AAPA and Burrows.

Accordingly, claims 2-5 and 21-24 are patentable over White, AAPA and Burrows as a matter of law since their depending claims 1 and 10 are patentable over White, AAPA and Burrows.

Page 10 of 13

Docket No.: JCLA4345

Application No.: 09/746,010

Furthermore, the Office Action asserted that White discloses the technique feature which is further claimed in original claim 13, which has the same technique feature of newly added claim 22. However, Applicants respectfully disagree that. A common meaning of a "system memory of a host computer" indicates one or several memory modules applied on a motherboard of the host computer, and these memory modules could be served for OS operation. However, as described in lines 56-57, column 13 of White, "... These buffers constitute sections of the data memory portion of memory 111", further, as described in FIG.1 and lines 38-45, column 4 of White, the NI RAM 111 is located inside the network interface 105. It is obvious that *the NI RAM 111 is not a system memory*. Accordingly, **White does not disclose the feature of claim 22.**

The Office Action further rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over White and applicant's admitted prior art and Burrows as applied to claim 1, further in view of Smith (U.S. Patent 5,400,326). Applicants respectfully traverse the rejections for at least the reasons set forth below.

Combination of White, AAPA, Burrows and Smith does not disclose, teach or suggest the technique feature of "... in response to the early receiving interrupt signal, reading a part of the packet stored in the data buffer and do not perform a write-back operation after reading the part of the packet stored in the data buffer" as claimed in claim 1. As discussed above, combination of White, AAPA and Burrows does not disclose the above mentioned feature. Further, Smith does not teach the same feature, either. Therefore, combination of White, AAPA, Burrows and

Page 11 of 13

Application No.: 09/746,010

Docket No.: JCLA4345

Smith does not teach claim 1 as well. Accordingly, claim 4 is patentable over White, AAPA, Burrows and Smith as a matter of law since claim 1 is patentable over those citations.

The Office Action does not provide further rejections on claim 16. However, Applicants respectfully assert that combination of the cited references does not provide the technique feature of "...said descriptors and said data buffers being connected to a network card for receiving said packets, and said data buffers at least being a portion of a system memory of a host computer wherein said network card is located" as claimed in claim 16. According to the discussion made for claim 22, combination of cited references does not teach the above technique claimed in claim 16, which is likely to that of claim 22. Therefore, claim 16 is patentable over prior arts.

Accordingly, claims 25-26 are patentable over prior arts as a matter of law since their depending claim is patentable over prior arts.

For at least the foregoing reasons, Applicant respectfully submits that independent claims 1, 10 and 16 patently define over the prior art references after entering the amendments, and should be allowed. For at least the same reasons, dependent claims 2-5, 21-24 and 25-26 patently define over the prior art as well.

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Application No.: 09/746,010.

Docket No.: JCLA4345

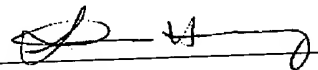
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-10, 16 and 21-26 are in proper condition for allowance. Applicants again respectfully thank for the allowance of claims 6-9. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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